

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-173-W - ORDER NO. 2008-574
AUGUST 21, 2008

IN RE: Application of Jacabb Utilities, LLC for)	ORDER GRANTING
Approval of an Establishment of Water Rates)	CONFIDENTIAL
and Charges for Approval of Agreement for)	TREATMENT
Water Services with Pointe West, Inc. to)	
Serve Highpointe Development in Oconee)	
County)	

This matter comes before the Public Service Commission of South Carolina (Commission) on the Motion filed by Jacabb Utilities, LLC (Jacabb or utility) to treat as confidential certain information filed with the Commission in the present docket. The requested confidential treatment pertains to the filing of financial statements by Jacabb.

Pursuant to 26 S.C. Code Ann. Regs. 103-512 (Supp. 2007), a public utility operating in South Carolina under the Commission's jurisdiction must have on file with the Commission a performance bond with sufficient surety. When an individual acts as surety, as in this case, he shall file with the Commission annually a financial statement showing the individual surety's personal assets, liabilities, and net worth. As required and on behalf of Jacabb, on July 31, 2008, individual financial statements of Stephen R. Goldie, managing owner of Jacabb, were filed with the Commission.

Jacabb submits in its motion that the financial information is considered private and personal and is submitted for bonding purposes only and should not be available to the public due to privacy considerations. Pursuant to Commission Order No. 2005-226,

“Order Requiring Designation of Confidential Materials”, issued May 6, 2005, Jacabb delineates in the Motion the material for which the confidential treatment is sought and such information was filed in a separate package clearly marked “confidential.”

The South Carolina Freedom of Information Act (FOIA) allows exemption from disclosure for proprietary business information that meets a definition of “personal information.” S.C. Code Ann. Section 30-4-40(a)(2) states that matters which may be exempt from FOIA include: “(2) Information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy.”

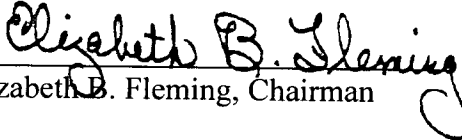
We find that the information for which Jacabb seeks protection as confidential falls within the definition of materials which may be exempted from disclosure under FOIA. The Commission therefore grants the motion of Jacabb and provides that the financial statements of Stephen R. Goldie, provided to the Commission on behalf of Jacabb, shall be considered proprietary and confidential and filed under seal.

IT IS THEREFORE ORDERED:

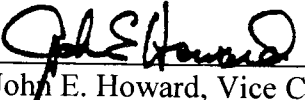
1. The Motion of Jacabb Utilities, LLC for confidential treatment of the financial statements submitted by the utility is granted, as these are the individual financial statements of Stephen R. Goldie. The Commission and Commission Staff shall treat the materials as confidential, and such materials shall not be subject to public disclosure absent further order of this Commission.

2. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)